

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUSAN GILNER,

No. C-07-0960 MMC

Appellant,

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; SETTING BRIEFING
SCHEDULE**

v.

LINDA LICALSI, et al.,

Appellees

Before the Court is appellant's response, filed June 26, 2007, to the Court's order of June 12, 2007, by which the Court ordered appellant to show cause why the instant bankruptcy appeal should not be dismissed for failure to prosecute.

Having reviewed appellant's response, and good cause appearing therefrom, the Court hereby DISCHARGES the order to show cause.

Further, because the Bankruptcy Clerk has forwarded to the District Court a copy of the transcript of the relevant hearing before the Bankruptcy Court, and no further documents will be forwarded by the Bankruptcy Clerk to this Court,¹ the Court hereby SETS

¹By order filed June 11, 2007 in the Bankruptcy Court, Bankruptcy Judge Dennis Montali denied appellant's request for free copies of the documents electronically-filed with the Bankruptcy Clerk, noting that appellant could use the PACER system to "download and reproduce the truly important portions of the record relevant to her appeal for a very modest reproduction cost." (See Order Regarding Payment of Appellant Expenses at 3:1-6, 26-28.) To the extent appellant's response to this Court's order to show cause includes a request that the District Court order the Bankruptcy Court to send appellant a free copy of the transcript, the request is hereby DENIED, for the reason appellant may obtain such transcript from the Bankruptcy Court docket using the PACER system.

1 the following briefing schedule:

2 1. No later than August 3, 2007, appellant shall file in the District Court and serve on
3 appellees an opening brief, such brief not to exceed twenty-five pages in length exclusive
4 of exhibits. Also, no later than August 3, 2007, appellant shall file in the District Court and
5 serve on appellees the Record On Appeal, which shall consist of a copy of each document
6 filed in the Bankruptcy Court relevant to the issue presented, i.e., each document
7 necessary for the Court to determine whether, as appellant asserts, the Bankruptcy Court
8 erred in granting appellees' motion for summary judgment.²

9 2. No later than August 31, 2007, appellees shall file and serve a responsive brief,
10 such brief not to exceed twenty-five pages in length exclusive of exhibits. Also, no later
11 than August 31, 2007, appellees shall, if necessary, file and serve a Supplemental Record
12 on Appeal, which shall consist of a copy of any document filed in the Bankruptcy Court on
13 which appellees rely and which appellant has not included in the Record on Appeal.

14 3. No later than September 21, 2007, appellant may file and serve a reply brief,
15 such brief not to exceed fifteen pages in length. Appellant may not submit any additional
16 exhibits with her reply.

17 4. As of September 21, 2007, the matter will be deemed submitted.

18 **IT IS SO ORDERED.**

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20 Dated: July 3, 2007


MAXINE M. CHESNEY
United States District Judge

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27 ²As stated above, in light of Judge Montali's order of June 11, 2007, appellant may
28 download each such document and submit a copy to this Court. Appellant need not file a
copy of the transcript of the hearing, however, because, as noted, the transcript is already
on file in the District Court.